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# Robert Kennedy Wants Out Of Book Suit, Says Source

NEW YORK (AP)—Conflicting reports circulated Thursday as to whether Sen. Robert F. Kennedy and Mrs. John F. Kennedy stand together in her lawsuit to stop publication of the controversial book about the assassination of her husband.

"There is no conceivable conflict," an aide to the senator said. "He doesn't oppose the suit."

However, a source closely involved in the battle said, "Our lawyers are getting strong indications that Sen. Kennedy wants to get out and doesn't think the suit was a good idea, to begin with.

Former U. S. Dist. Judge Simon Rifkind, who represents Mrs. Kennedy in the court action, said, "I have talked with Sen. Kennedy from time to time. I have the impression that he supports Mrs. Kennedy."

Rifkind said he hopes to file the complaint in the State Supreme Court at least by Saturday and possibly Friday.

It is not clear whether Mrs. Kennedy will be called to testify.

Rifkind said the suit is based primarily on the contention that she and Sen. Kennedy, D-N.Y., have not approved publication of the book, "Death of a President," by William Manchester. One clause of a "memorandum of understanding" between

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Manchester and the Kennedys reads:

"The completed manuscript shall be reviewed by Mrs. John F. Kennedy and Sen. Robert F. Kennedy and the text shall not be published unless and until approved by them."

Therefore, Rifkind said, it will not be necessary in the lawsuit to bring out the passages of the book which Mrs. Kennedy says are "tasteless and distorted" and constitute an invasion of her privacy.

A high-ranking member of the Kennedy administration said he has read Manchester's book and that he considers "it contains a number of invasions of Mrs. Kennedy's privacy."

Manchester recorded on tape two long interviews with her. The former official said, "It's clear that Manchester took the stuff from the tape recorder when Mrs. Kennedy was not in control of her emotions.

"Also, the book presents a rather unfortunate picture of President Johnson."

The New York Post quoted Mrs. William Manchester as saying the author would issue a statement later.

A source in the publishing world said "Manchester has prepared a complete statement, telling absolutely everything in complete detail and intends to issue it today. But the lawyers have told him not to, to hold it in reserve."

In related developments:

1. The Yale Daily News quoted publisher Bennett Cerf as saying he read the book, and as recounting one of the episodes in it. The student newspaper said Cerf addressed an audience at Yale's Pierson College Wednesday night.

The passage in the book covers an event at Love Airfield in Dallas, Tex., shortly after the assassination of President Kennedy.

The student newspaper quoted Cerf that Mrs. Kennedy and the late president's aides remained at the hospital in Dallas while then Vice President Lyndon B. Johnson and his entourage went to the airfield. Two airplanes, the presidential and vice-presidential, were parked there. The newspaper quoted Cerf as saying:

"The airplanes were identical in construction and furnishing. The Johnson party reached the airfield first and, knowing President Kennedy was dead, boarded the presidential jet. When the Kennedys returned to the airfield with the coffin and discovered that the presidential plane was already occupied, they were shocked and infuriated."

Cerf, chairman of the board of Random House, said in New York on Thursday, "I was under the impression I was talking off the record." He confirmed that he had made the remarks and said he considered Manchester's work, "a wonderful book."

2. In London, the publishers of Manchester's book said they were awaiting the outcome to legal moves to stop its publication. The Sunday Times which bought the serial rights also is waiting.

Look magazine has set publication of the first serialized article for Jan. 10. Harper & Row, book publishers, scheduled it for April 7. William Attwood, editor in chief of Look said, "The presses are rolling. They have been rolling for days."

3. Rifkind said the "varieties of relief" that may be requested on Mrs. Kennedy's behalf in the lawsuit might include damages. Basically, he said the complaint will ask for a temporary injunction to stop publication of the book. He said it might include also "a declaration of the rights of the parties." The exact forms of relief to be requested have not been decided. "I just haven't gotten that far yet," Rifkind said.

4. Sources close to the Kennedy family said they expect a telegram and letter from Sen. Kennedy to Harper & Row, to be used by the publishers in the litigation. The messages said the family would put no obstacles in the way of publication.

Kennedy later countermanded this with a second telegram.

The sources said Manchester's representatives requested such assurances in the late spring or early summer of this year. Then, at the end of July or early August — after they had begun asking revisions because of the allegedly offensive passages in the book — Kennedy sent the second telegram.